

03-28-05

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Practitioner's Docket No. **EC-6458**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: **Chuong Diep**

Application No.: **10/623,409**

Group No.: **2832**

Filed: **July 18, 2003**

Examiner: **Marina Fishman**

For: **SWITCH ASSEMBLY**

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF APPEAL BRIEF  
(PATENT APPLICATION—37C.F.R. 1.192)**

Transmitted herewith, is the **APPEAL BRIEF** in this application, with respect to the Notice of Appeal filed on **January 1, 2005**.

**STATUS OF APPLICANT**

This application is on behalf of

- ☒ other than a small entity.
- ☐ a small entity.

A statement

- ☐ is attached.
- ☐ was already filed.

**CERTIFICATION UNDER 37 CFR §§ 1.8(a) and 1.10\***

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\*Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**FEE FOR FILING APPEAL BRIEF** -- Pursuant to 37 C.F.R. 1.17(c), the fee for filing the Appeal Brief is:

- ☐ small entity \$250.00  
☒ other than a small entity \$500.00

**Appeal Brief fee due \$500.00**

**Applicant petitions for an extension of time under 37 C.F.R. §1.136  
(FEES: 37 C.F.R. §1.17 (1) – (4) for the total number of months checked below:**

EXTENSION	1ST MONTH	2ND MONTH	3RD MONTH	4TH MONTH	
Large Entity	<input checked="" type="checkbox"/> \$120.00	<input type="checkbox"/> \$450.00	<input type="checkbox"/> \$1,020.00	<input type="checkbox"/> \$1,590.00	<b>\$120.00</b>
Small Entity	<input type="checkbox"/> 60.00	<input type="checkbox"/> 225.00	<input type="checkbox"/> 510.00	<input type="checkbox"/> 795.00	

[ ] An extension for \_\_\_\_\_ month(s) has already been secured and the fee paid therefore of \$\_\_\_\_\_ is deducted from the total fee due for the total month(s) of extension now requested.

[ ] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**TOTAL FEE DUE FOR THIS APPEAL \$620.00**

**FEE PAYMENT**

- ☒ Attached is a ☒ check ☐ money order in the amount of **\$620.00**  
☒ Authorization is hereby made to charge the amount of \$\_\_\_\_\_  
☒ to Deposit Account No. 20-0090.  
☐ to Credit card as shown on the attached credit card information authorization form PTO-2038.

**WARNING:** Credit card information should **not** be included on this form as it may become public.

- ☒ Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

**FEE DEFICIENCY**

- ☒ If any additional extension and/or fee is required, charge Deposit Account No. 20-0090.

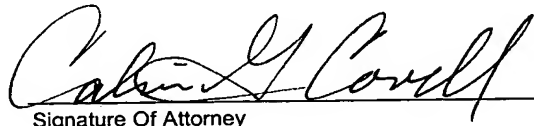
**AND/OR**

- ☒ If any additional fee for claims is required, charge Deposit Account No. 20-0090.

Date: **March 25, 2005**

Customer No.: 26,294

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Signature Of Attorney

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*\*Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*